



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

August 16, 2011

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

28 August 16, 2011

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Dear Supervisors:

**RESOLUTION OF SUMMARY VACATION
FOR ABANDONMENT OF AN OFFER TO DEDICATE ROAD EASEMENT AND VACATION OF A
SLOPE EASEMENT ON RUIZ PLACE
EAST OF SAN FRANCISQUITO CANYON ROAD (CONDITIONAL)
IN THE VICINITY OF SANTA CLARITA
(SUPERVISORIAL DISTRICT 5)
(3 VOTES)**

SUBJECT

This action will allow the County of Los Angeles to abandon an offer of dedication for road easement and vacate a slope easement on Ruiz Place east of San Francisquito Canyon Road in the vicinity of Santa Clarita that are no longer needed for public use. The vacation has been requested by the underlying property owner to enhance the properties and allow for improvements.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that this action is categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that the offer of dedication for road easement and the easement for slope purposes on Ruiz Place east of San Francisquito Canyon Road in the vicinity of Santa Clarita have not been used for the purpose for which they were dedicated or acquired for five consecutive years immediately preceding the proposed vacation and that they may, therefore, be vacated pursuant to Section 8333(a) of the California Streets and Highways Code.

3. Find that the offer of dedication for road easement and the easement for slope purposes on Ruiz Place east of San Francisquito Canyon Road in the vicinity of Santa Clarita are excess and there are no other public utilities located within the easements and that they may, therefore, be vacated pursuant to Section 8333(c) of the California Streets and Highways Code.
4. Find that the offer of dedication for road easement on Ruiz Place east of San Francisquito Canyon Road in the vicinity of Santa Clarita is not useful as a nonmotorized transportation facility as required by Section 892 of the California Streets and Highways Code.
5. Terminate the offer of dedication for road easement on Ruiz Place east of San Francisquito Canyon Road in the vicinity of Santa Clarita and abandon the County of Los Angeles' right to accept and open the street pursuant to Section 66477.2(c) of the California Government Code.
6. Adopt the Resolution of Summary Vacation.
7. Upon approval, authorize the Director of Public Works to record the certified original resolution with the office of the Los Angeles County Registrar Recorder/County Clerk.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to find that the project is categorically exempt from the California Environmental Quality Act (CEQA) and allow the County of Los Angeles (County) to abandon the offer of dedication for road easement and vacate the easement for slope purposes on Ruiz Place east of San Francisquito Canyon Road (Easements) in the vicinity of Santa Clarita, since they no longer serve the purpose for which they were dedicated and are not required for public use.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1). The vacation of the Easements will result in added revenue through assessment and taxation and reduce the County's exposure to potential liability.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The applicant has paid a \$1,500 fee to defray the expense of the investigation. This amount has been deposited into the Road Fund. The fee was authorized by your Board in a resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the California Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The area of the offer of dedication for road easement to be abandoned contains approximately 1.56 acres, and the area of the easement for slope purposes to be vacated contains approximately 1.03 acres. Both are shown on the map that is attached to the enclosed Resolution of Summary Vacation.

The California Streets and Highways Code Section 8333(a) provides that the legislative body of a local agency may summarily vacate a public service easement if the easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.

The California Streets and Highways Code Section 8333(c) provides that the legislative body of a local agency may summarily vacate a public service easement that has been determined to be excess, and there are no other public utilities located within the easement.

Government Code Section 66477.2(c) provides "Offers of dedication which are covered by subdivision (a) may be terminated and abandoned in the same manner as prescribed for the summary vacation of streets by Part 3 (commencing with Section 8300) of Division 9 of the Streets and Highways Code."

The County's interest in the offer of dedication for road easement was acquired by an Offer to Dedicate to the County of Los Angeles, recorded on May 14, 1982, as Document No. 82-502158, of Official Records, in the office of the Los Angeles County Registrar Recorder/County Clerk as an easement for road purposes.

The County's interest in the slope easement was acquired by grant of Easement to the County of Los Angeles, recorded on May 14, 1982, as Document No. 82-502157, of Official Records, in the office of the Los Angeles County Registrar-Recorder/County Clerk as an easement for slope purposes.

The offer of dedication for road easement was never accepted by the County, no improvements were ever made to the right of way by the County, and this area has never been used for County highway purposes.

MOBE Development, Inc., the underlying property owner, requested the vacation to remove the restriction of the Easements and allow for improvements. The vacation is supported by Mr. and Mrs. Robert Spunk, the adjacent property owners.

The proposed vacation is conditioned upon the underlying property owner executing an Irrevocable Offer to Dedicate and Grant of Easement for street and highway purposes, as well as slope purposes required to accommodate street improvements related to their planned use of the property. Specifically, the property owner will construct a cul de-sac turnaround. These conditions must be met to the satisfaction of Public Works within one year of the date this Resolution is adopted by your Board or the vacation of the Easements will terminate and become null and void. Public Works will record the enclosed resolution upon satisfaction of the conditions.

Adoption of the enclosed resolution and the subsequent recordation will terminate the County's rights and interest in the Easements. Your action will result in the property being unencumbered by the Easements and available to the property owner for use without restriction of the Easements.

ENVIRONMENTAL DOCUMENTATION

This action is categorically exempt from the provisions of CEQA as specified in Sections 15305 and 15321 of the State CEQA Guidelines, which state that this class of projects consisting of minor alterations in land use, limitations, and actions to revoke entitlement for use, issued and adopted by the regulatory agency, have been determined not to have a significant effect on the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action will allow for additional property taxes through the elimination of the Easements.

CONCLUSION

Please return one adopted copy of this letter and one original and one copy of the resolution to the Department of Public Works, Survey/Mapping & Property Management Division, together with a copy of your Board's minute order. Retain one original for your files.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:SGS:mr

Enclosures

c: Auditor-Controller (Accounting Division - Asset
Management)
Chief Executive Office (Rita Robinson)
County Counsel
Executive Office

**RESOLUTION OF SUMMARY VACATION
FOR ABANDONMENT OF AN OFFER TO DEDICATE ROAD EASEMENT AND
VACATION OF A SLOPE EASEMENT ON RUIZ PLACE
EAST OF SAN FRANCISQUITO CANYON ROAD (CONDITIONAL)**

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The County of Los Angeles is the recipient of an offer of dedication for road purposes and the holder of an easement for slope purposes (hereinafter referred to as the Easements) in, over, and across the real property legally described in Exhibit A and depicted on Exhibit B, both attached hereto. The Easements, on Ruiz Place east of San Francisquito Canyon Road, are located in the vicinity of Santa Clarita in the County of Los Angeles, State of California.
2. The Easements have not been used for the purpose for which they were dedicated or acquired for five consecutive years immediately preceding the proposed vacation.
3. The Easements are excess and there are no other public utilities located within the easements.
4. The Easements are not useful as nonmotorized transportation facilities as defined in Section 887 of the California Streets and Highways Code.
5. The Easements are hereby vacated and abandoned pursuant to Section 66477.2 (c) of the California Government Code and pursuant to Chapter 4, Part 3, Division 9, of the California Streets and Highways Code, State of California, commencing with Section 8330.
6. The proposed vacation is conditioned upon the underlying property owner executing an Irrevocable Offer to Dedicate and Grant of Easement for street and highway purposes and dedication of an easement for slope purposes required to accommodate street improvements as a result of the proposed vacation. These conditions must be met to Public Works' satisfaction within one year of the date this Resolution is adopted by the Board of Supervisors or the vacation of the Easements will terminate and become null and void.
7. Upon the satisfaction of the condition specified in paragraph 6, above, the Director of Public Works is authorized to record the certified original resolution in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, at which time the Easements will be terminated, and the County's rights to accept said offer of dedication will be abandoned.
8. From and after the date this resolution is recorded, the Easements will no longer constitute street, highway, or public service easements.

The foregoing resolution was on the 16th day of August, 2011, adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

APPROVED AS TO FORM:

ANDREA SHERIDAN ORDIN
County Counsel

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles



By Julia Weissman
Deputy

By C. T. L.
Deputy

GT:mr

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